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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/388,373	09/01/1999	MASAHIKO YOKOTA	862.3008	3894

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EXAMINER

NGUYEN, THOMAS T

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 04/02/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/388,373

Applicant(s)
YOKOTA

Examiner
THOMAS T. NGUYEN

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2174



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☒ All b) ☐ Some* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 4 20) ☐ Other:

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DETAILED ACTION

Specification

The **title** of the invention is objected because is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 10,16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 10, recites the limitation "informing apparatus" in claim 4 . There is insufficient antecedent basis for this limitation in the claim.

Regarding claim 16, recites the limitation "authorization data" in claim 14 . There is insufficient antecedent basis for this limitation in the claim.

The examiner request that the applicant, during the normal review and/or rewriting of the claims, take into consideration these editorial comments and make changes as necessary.

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Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

Claims 1-7,12-13 are rejected under 35 U.S.C. 102(e) anticipated by Webb U.S Patent

No. 5,727,135

As per claim 1-4, Webb's system (Fig.1, summary) discloses the following:

- a data processing apparatus (16) has a control panel(35) which connected (19) to a computer (11);
- wherein the data processing apparatus has a control panel for specifying a processing operation and which is operated in accordance with an indication from the control panel and/or an externally supplied command (12,14,35,63);
- a storage and transfer means for storing and transferring the control-panel data that representing the appearance at least principle portion of the control-panel data (col.6 lines 37-67).

Regarding claim 2, Webb discloses the control-panel has a plurality of switch means, and the control-panel data also including function and position information regarding to at least some of the switch in order for communication with host 11 (col.6, lines 13-35, Fig.1)

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Regarding claim 3, Webb's system (Fig.1) discloses an external device (11), a virtual control panel (63) for displaying an appearance identical or similar to at least part of the control panel, of a remote control apparatus (16); and including generating an operational command from virtual control panel for operating the remotely control apparatus (Fig.1, col.4 lines 42-67 and col.5 lines 1-5, summary).

Regarding discriminating means (claim 4), Webb system (Fig.1) discloses a communications protocol for establishing correspondence between a command, which operation of the control panel causes to be applied to the remotely controllable apparatus, and an operation performed on the virtual control panel 63 (summary, col.4 43-67); and

Regarding communication means (claim 4), Webb discloses a bidirectional communications for supplying the remotely controllable apparatus (16) with the command corresponding to the operation performed on the virtual control panel (col.3 lines 54-67).

Regarding claim 5-6, Webb also discloses the operation is designation of a position on the virtual control panel based upon control-panel information obtained from said remotely controllable apparatus (col.4 lines 1-11).

Regarding claim 7, Webb system displays the virtual control panel based upon control-panel information possessed by the information processing apparatus (col.6 lines 44-52).

Regarding utilizing the control-panel information (claim 8), Webb's system includes a sufficient amount of internal random access memory to support the operating system as well as all application (col.5 lines 40-55), thus the memory is inherently being use for storing

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control-panel information in advance by the information processing apparatus as mentioned in claim 7.

As per claim 12, regarding the virtual control panel in claim 4 is capable of being altered, Webb teaches the following:

- “Configure” menu item on the tool-bar (Fig.8); and
- update display 318, update printer button with appropriate icon 313 (Fig.10); and
- “Using such an interface, a user may obtain some configuration information from the printer. Printer Driver 55 is capable of obtaining this configuration information from any NPAP-compliant printer 16 available to host 11” (col.8 line 62-67 and col.9 lines 1-5).

Thus, Webb’s disclose the virtual control panel with configuration capable altered.

Regarding claim 13, (recite claim 1-4) Webb’s remote system (Fig.1) have storage medium for storing executable program code of the remote control method for display virtual control panel, process / control the remotely controllable apparatus (cols.6-8).

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Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9-11, 14-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Webb U.S Patent No. 5,727,135 and Doi U.S Patent No 5,995,712.

As per claims 9: Recite claim 4, although Webb teaches “The invention is equally applicable to other electrophotographic printers as well as ink jet, wire matrix and other types” (col.6 lines 26-28). On the other hand, Webb fails to teach in detail of an image forming apparatus. However, it is known in the art at the time of applicant’s invention was made that image forming, printer, and/or scanner apparatus (the remotely image forming apparatus) can be connected and operates remotely.

For instance, Doi discloses the remotely controllable apparatus is an image forming apparatus (abstract, summary). Therefore, *it would have been obvious to one of ordinary skill in the relevant art at the time of invention was made to use Doi’s image forming apparatus with Webb’s virtual control panel system because this would enhance system resources and allow user monitoring and operating peripheral apparatus effectively.*

Regarding claims 10-11, Webb’s system display virtual control panel discloses paper detection / tray selection (col.1, Fig.1) but Webb fails to specifically teach a document / image

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input device. However, Doi's discloses an image input device including document reading and detection sensor for detects the presence or absence of the document (col.6 lines 49-67).

Therefore, *it would have been obvious to one of ordinary skill in the relevant art at the time of invention was made to use* Doi's image input device with Webb's system because this give user more control and reducing error.

Regarding the image of a document capable of supplying the computer with an image signal representing the image read (claim 11). Doi teaches the image forming system with an image combine function can be "conveniently implemented using a conventional general purpose digital computer or microprocessor programmed according to the teachings of the present specification, as will be apparent to those skilled in the computer art"(col.8 lines 48-58). Thus, Doi's system clearly capable supplying the image signal representing the image read to the information processing apparatus (Fig.1).

As per claim 14 are containing subject matters similar to claims 1,10-11 and believe to be reject for the same reason.

Regarding to claims 15-16, Webb's inherently discloses the authorization data concerning each user who use data processing system (col.7 lines 54-67).

Regarding to claims 17-23 are discloses an apparatus containing elements and features similar to claims 1-16 and believe to be reject for the same reason.

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Prior art

The *Prior Art* made of record and not relied upon is considered pertinent to applicant's


disclosure: US. 5,699,494 6,226,096 6,091,508 5,361,265 5,774,678

Conclusion

Any inquiry concerning this communication or earlier communications should be directed to the Patent Examiner **Thomas Nguyen**, whose telephone number is (703) 308-7240 (Monday to Friday 10:30 - 7:00 ET) or *Kristine Kincaid* Supervisory Patent Examiner (703) 308-0640. Other inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900 and Official-Fax number (703) 746-7239 for After Final (703) 746-7238. Please label properly on the cover page of facsimile communications.

Thomas T. Nguyen

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25 March 02

Attachment for PTO-948 (Rev. 03/01, or earlier)
6/18/01

The below text replaces the pre-printed text under the heading, "Information on How to Effect Drawing Changes," on the back of the PTO-948 (Rev. 03/01, or earlier) form.

INFORMATION ON HOW TO EFFECT DRAWING CHANGES

1. Correction of Informalities -- 37 CFR 1.85

New corrected drawings must be filed with the changes **incorporated** therein. Identifying indicia, if provided, should include the title of the invention, inventor's name, and application number, or docket number (if any) if an application number has not been assigned to the application. If this information is provided, it must be placed on the front of each sheet and centered within the top margin. If corrected drawings are required in a Notice of Allowability (PTOL-37), the new drawings **MUST** be filed within the **THREE MONTH** shortened statutory period set for reply in the Notice of Allowability. Extensions of time may **NOT** be obtained under the provisions of 37 CFR 1.136(a) or (b) for filing the corrected drawings after the mailing of a Notice of Allowability. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

2. Corrections other than Informalities Noted by Draftsperson on form PTO-948.

All changes to the drawings, other than informalities noted by the Draftsperson, **MUST** be made in the same manner as above except that, normally, a highlighted (preferably red ink) sketch of the changes to be incorporated into the new drawings **MUST** be approved by the examiner before the application will be allowed. No changes will be permitted to be made, other than correction of informalities, unless the examiner has approved the proposed changes.

Timing of Corrections

Applicant is required to submit the drawing corrections within the time period set in the attached Office communication. See 37 CFR 1.85(a).

Failure to take corrective action within the set period will result in **ABANDONMENT** of the application.

SO-PAPT-00013

**REFERENCE COPYING
SPECIAL INSTRUCTIONS**

DATE: 03 / 22 / 02

APPLICATION SERIAL NUMBER: 09- 388, 373

NUMBER OF COPIES: Standard copy production for regular applications is 2 copies; for **PCT applications** it is **4 copies**. If additional copies are required, please see note below.

ONLY ONE COPY REQUIRED X

ADDITIONAL COPIES REQUIRED

RETURN **ORIGINAL(S)** WITH CASE X

OTHER:
